

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant(s) : William W. Henning
Serial No. : 10/722,287
Filed : November 25, 2003
Title : BASEBALL AREA
PROTECTION SYSTEM
AND METHOD
Group : 3635
Docket : AFI-FL 001 P2

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF SUBMISSION

I hereby certify this paper is being submitted
via EFS on this 12th day of October
by Mary E. Damico.

/ Mary E. Damico /

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER MPEP §2001.06 (b) (c)

In accordance with MPEP §2001.06(b) and (c), Applicant directs the Examiner's attention to the fact that U.S. Patent No. D 516,360, which is a continuation-in-part of the above-identified application, was the subject of litigation Civil Action No. 8:06-cv-01100-T-23mss in the United States District Court for the Middle District of Florida, Tampa Division. The litigation was filed by the patent owner, Aer-Flo Canvas Products, Inc. (Plaintiff), against both Inland Tarp & Cover, Inc. and JustBaseball, Inc. (Defendants). The lawsuit was settled and/or dismissed prior to the exchange of any discovery. The Defendant, Tarp & Cover, Inc., agreed to cease manufacturing a product that Applicant ascertained was covered by the patent. The Examiner is invited to contact the undersigned at the number listed below should the Examiner desire any further information regarding the details of the settlement or dismissal between the Plaintiff or any of the Defendants.

Although Applicant believes that no fee is required by filing this Statement, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to **Deposit Account No. 50-1287**. Applicant hereby provides a general request for any extension of time which

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may be required at any time during the prosecution of the application. The Commissioner is also authorized to charge any deficiencies that have not been previously paid for and that are required during the prosecution of this application to
Deposit Account No. 50-1287. (Should Deposit Account 50-1287 be deficient, please charge any further deficiencies to Deposit Account 10-0220.)

Respectfully submitted,



By _____
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October 12, 2006